IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 12TH JULY 2007 / 21ST ASHADHA 1929

WP(C).No. 23974 of 2004(D)

PETITIONER:

T.P. SAJEEVAN, KALARI ODUNGATT HOUSE,
NARIKUNNI P.O., BEDIYANAD AMSOM,
DESOM OF KOZHIKODE.

BY ADV. SRI.P.S.SREEDHARAN PILLAI,
SRI.K.B.SAJEESH,
SRI.P.GOPINATH,
SRI.C.S.SUNIL,
SRI.P.R.SREEJITH.

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT, SECRETARIAT, THIRUVANANTHAPURAM.**

2. **THE DEPUTY DIRECTOR OF PANCHAYATH, KOZHIKODE.**

3. **NARIKUNNI GRAMA PANCHAYAT, REPRESENTED BY THE SECRETARY, NARIKUNNI GRAMA PANCHAYATH OFFICE, NARIKUNNI.**

BY ADV. DR.K.B.MUHAMED KUTTY (SR.),
GOVERNMENT PLEADER.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.23974/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE DEMAND NOTICE DTD. 17/04/2000 IMPOSING BUILDING TAX OF RS.2000/- ON THE PETITIONER'S SHED FOR THE YEAR 2000-2001 ISSUED BY THE R.3.

EXT.P.2: COPY OF THE ORDER NO. B4/1788/00/K.DIS. DTD. 25/11/2002 ISSUED BY THE R.2.

EXT.P.3: COPY OF THE BUILDING TAX RECEIPT NO. 77 DTD. 05/07/2004 FOR THE YEAR 2004-2005 ISSUED BY THE R.3.

EXT.P.4: COPY OF THE BUILDING TAX RECEIPT NO. 09 DTD. 05/08/2004 FOR THE YEAR 2004 ISSUED BY THE R.3.

EXT.P.5: COPY OF THE RR DEMAND NOTICE DTD. 22/11/2003 ISSUED BY THE R.3. ADDRESSED TO THE PETITIONER.

EXT.P.6: COPY OF THE SUMMONS DTD. 24/07/2004 ISSUED BY THE JUDICIAL FIRST CLASS MAGISTATE COURT, THAMARASSERY TO THE PETITIONER REQUIRING HIS APPEARANCE ON 13/08/2004.

RESPONDENT'S EXHIBITS: **NIL.**

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P. (C). NO. 23974 OF 2004

Dated this the 12th day of July, 2007.

J U D G M E N T

Petitioner is aggrieved by the fixation of property tax. Since the petitioner has an effective remedy before the Tribunal for Local Self Government Institutions, it is not necessary for this Court at this stage to go into the disputed questions of fact. This writ petition is disposed of as follows.

2. The Petitioner may approach the Tribunal and seek appropriate reliefs. In order to enable the petitioner to approach the Tribunal as above, interim order passed by this Court will continue for a period of another three months. It is also made clear that in the event of the petitioner approaching the Tribunal within a period of one month from today, the same shall be treated to have been filed in time.

KURIAN JOSEPH, JUDGE.

smp